

PTO/3520 (09-03)

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# Request for Continued Examination (RCE) Transmittal

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450


Application Number	10/614,149
Filing Date	07/07/2005
First Named Inventor	BROWN
Art Unit	2817
Examiner Name	JONES, Stephen
Attorney Docket Number	7162-0074

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ☐ Other \_\_\_\_\_
  - ☒ Enclosed
    - ☐ Amendment/Reply
    - ☐ Affidavit(s)/Declaration(s)
    - ☒ Information Disclosure Statement (IDS)
    - ☒ Other Petition Under 37 C.F.R. 1.313(c)(2)
- Miscellaneous**
  - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
  - ☐ Other \_\_\_\_\_
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to
  - ☒ Deposit Account No. 50-2884
    - ☒ RCE fee required under 37 CFR 1.17(e)
    - ☐ Extension of time fee (37 CFR 1.138 and 1.17)
    - ☒ Other Petition fee under 37 CFR 1.17(h)
  - ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
  - ☐ Payment by credit card (Form PTO-2038 enclosed)


WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Robert J. Sacco	Registration No. (Attorney/Agent)	35,887
Signature		Date	4-21-05

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Robert J. Sacco	Date	4-21-05
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/614,149 Confirmation No. 5048  
Applicant : BROWN  
Filed : July 7, 2003  
TC/A.U. : 2817  
Examiner : JONES, Stephen E.  
  
Docket No. : 7162-0074  
Customer No. : 39207

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## PETITION TO WITHDRAW UNDER 37 C.F.R. 1.313(c)(2)

MAIL STOP 313(c)  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Sir:

Applicants respectfully petition the Commissioner of Patents to withdraw the above-identified application from issue after the payment of the issue fee under 37 C.F.R. 1.313(c)(2).

Applicants submit that material prior art may not have been considered by the Examiner. Applicants submit herewith a Request for Continued Examination and Supplemental Information Disclosure Statement.


Please charge the fees associated with the Request for Continued Examination (\$790), and this Petition (\$130), to Deposit Account No. 50-2884. Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-2884.

Respectfully submitted,

4-21-05  
Date

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## Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9308 on 4-21-05 Typed or printed name of person signing this certificate: ROBERT J. SACCO

